

SEP 27 2004

September 27, 2004

To: Responsible officials of the Washington State Department of Ecology (DOE) responsible for the issuance of the modified industrial storm water general permit and for issuance of prior notice of that permit

Re: Comment on the modified industrial storm water general permit, request for a copy of this permit, and request for extension of the comment period for myself due to DOE's failure to provide me with proper prior specific notice of DOE's proposed issuance of this permit.

Dear DOE officials:

I received a call today from a member of the local Audubon Society who noted to me that comment on the modified industrial storm water general permit was due today.

From the limited information I received over the phone about this new modified industrial storm water general permit from the "notice" that the local Audubon Society received, it appears that DOE is attempting to reduce, relax, and/or eliminate much of the water quality testing, monitoring and/or other water quality protections by the issuance of this new modified industrial storm water general permit.

After receiving that call, since no one at DOE was available to talk to me, I left the the phone mail messages today with three people at DOE, including DOE's Joyce Smith, Linda Matlock, and Stan Ciuba of DOE's Stormwater permit division of DOE's Headquarters Office, outlining my comments on the modified industrial storm water general permit and my reasonable request for extension of the comment period for myself due to DOE's failure to provide me with proper prior specific notice of DOE's proposed issuance of this permit.

Though I am limited to only the information are received over the phone concerning DOE's "notice" of their proposed issuance of this new modified industrial storm water general permit, I would like to go on the record to state that DOE should not reduce, relax, and/or eliminate much of the water quality testing, monitoring and/or other water quality protections by the issuance of this new modified industrial storm water general permit.

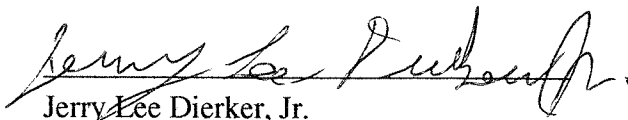
In light of the known and reported deteriorating water quality in this state, I believe that DOE's action here to reduce, relax, and/or eliminate much of the water quality testing, monitoring and/or other water quality protections by the issuance of this new modified industrial storm water general permit, is is clearly unreasonable, unlawful, arbitrary, capricious, and/or clearly erroneous.

I should also note that I currently have a complaint in to the EPA requesting that the EPA withdraw

the federal authorization given by EPA to the State of Washington and DOE for DOE to administer the federal Clean Water Act permit program, under which DOE issues such storm water permits and other NPDES permits.

Clearly, these problems with DOE's unreasonable, unlawful, arbitrary, capricious, and/or clearly erroneous administration of this stormwater permit program and other such permits required by the federal Clean Water Act NPDES permit program must be corrected immediately, so that I do not have to add this information to my continuing request that EPA act to withdraw or rescind EPA's authorization given to DOE for DOE to administer the Federal NPDES program in this State.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jerry Lee Dierker, Jr.", written in dark ink.

Jerry Lee Dierker, Jr.

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